

CHAPTER II

Milk Regulations

Section 1.

No person, firm or corporation shall sell, exchange, deliver or have in his custody with intent so to do, milk or cream from any cow unless the same shall have been pasteurized or certified in the manner prescribed by Statute.

Section 2.

All persons, firms or corporations engaged in the sale, delivery or distribution of milk, skim milk, or cream, shall provide adequate facilities for the proper storage of said milk, skim milk or cream at a temperature not above 50 degrees F.

Section 3.

No person shall sell, exchange, deliver, or have in his custody or possession, with intent so to do, milk, skim milk or cream with a bacterial content which exceeds the standards set up by the Massachusetts Department of Public Health as determined by the standard plate methods of the American Public Health Association in use at the time the examination is made.

Section 4.

Every person engaged in the production, storage, transportation, sale, delivery or distribution of milk for sale shall notify the Board of Health on the occurrence of any cases of communicable disease, either in himself or his family, or among his employees or associates, or within the building or premises where milk is stored or handled, and shall at the same time suspend the sale or distribution of milk until authorized to resume the same by the Board of Health. No utensil which is used or has been used on the premises where a communicable disease exists shall be used to hold or convey milk until it has been sterilized in a manner satisfactory to the Board of Health or its representative.

Section 5.

All persons, firms or corporations engaged in the sale, delivery or distribution of milk shall furnish annually on July 1st to the Board of Health a list of names and locations of the dairy farms from which the milk so distributed or sold is obtained and shall notify the Board of Health before making any changes in their supply.

Section 6.

All dealers, except licensed storekeepers, engaged in the sale, processing, and distribution of milk and cream shall provide a separate room or rooms, well lighted, ventilated, and properly screened, in a location approved by the Board of Health, in which the handling, bottling and storing of milk shall be carried on. All such milk rooms or plants shall have a smooth, tight floor with sewer connections if possible, and smooth clean walls and ceiling. The entire room or rooms and all appliances shall be kept clean at all times and be used for the handling of milk only. All bottles, cans or other receptacles used for holding milk shall be sterilized insofar as practicable and shall be protected from contamination between the time of such sterilization and the time when they are filled. All bottles shall be filled at the place of production or processing of the milk and shall be capped with a machine capper.

Section 7.

No person shall serve or allow to be served any milk to be consumed on the premises where served unless such milk is contained in individual sealed receptacles, each receptacle to be filled at the place of production or processing the milk, and to contain only the quantity of milk intended for the use of the person served.

Section 8.

Milk or cream shall not be shipped from any dairy farm if there is a case of contagious or infectious disease thereon, or among the employees or families thereof, and the owner of such farm shall

immediately report any such case to the Board of Health and to the dealer and shipment shall not be resumed until authorized by the Board.

Section 9. Separability

So far as the Board of Health may provide each section of these rules and regulations shall be construed as separate to the end that if any section, sentence, clause or phrase shall be held invalid for any reason, the remainder of the rules and regulations shall continue in full force.

Adopted May 14, 1946. Published May 20, 1946.

BOARD OF HEALTH

Natick, Mass.

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Section 10. Penalty

(a) Criminal Complaint - Whoever violates any provision of these rules and regulations may be penalized by indictment or on complaint brought in the District Court. Except as may otherwise be provided by law, and as the District Court may see fit to impose, the maximum penalty for any violation of these provisions shall be \$300.00 for each offense.

(b) Non-Criminal Disposition - Whoever violates any provision of these rules and regulations may, in the discretion of the Health Agent, be penalized by a non-criminal complaint in the District Court pursuant to the provisions of the Massachusetts General Laws, Chapter 40, Section 21D. For the purpose of this provision the penalty to apply in the event of a violation shall be as follows: \$50.00 for the first offense; \$100.00 for the second offense; \$200.00 for the third offense; and \$300.00 for the fourth and each subsequent offense. Each day on which a violation exists shall be deemed to be a separate offense.

Amended February 12, 2002

Summary published March 29, 2002

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